



---

## 2012 Decisions

## Opinions of the United States Court of Appeals for the Third Circuit

---

7-27-2012

## In Re: James Morris

Follow this and additional works at: [https://digitalcommons.law.villanova.edu/thirdcircuit\\_2012](https://digitalcommons.law.villanova.edu/thirdcircuit_2012)

---

### Recommended Citation

"In Re: James Morris " (2012). *2012 Decisions*. 645.  
[https://digitalcommons.law.villanova.edu/thirdcircuit\\_2012/645](https://digitalcommons.law.villanova.edu/thirdcircuit_2012/645)

This decision is brought to you for free and open access by the Opinions of the United States Court of Appeals for the Third Circuit at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in 2012 Decisions by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository.

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

---

No. 12-1121

---

IN RE: JAMES MORRIS,  
Petitioner

---

On a Petition for Writ of Mandamus from the  
United States District Court for the Eastern District of Pennsylvania  
(Related to E.D. Pa. Crim. No. 05-cr-00440)

---

Submitted Pursuant to Rule 21, Fed. R. App. P.  
January 26, 2012  
Before: MCKEE, Chief Judge, ALDISERT and GARTH, Circuit Judges

(Opinion filed: July 27, 2012)

---

OPINION

---

PER CURIAM

James Morris petitions this Court for a writ of mandamus compelling the District Court to conduct proceedings related to Morris's motion under Fed. R. Crim. P. 41(g) for the return of currency seized during his arrest.

At the time of the filing of the petition for writ of mandamus in this Court, the District Court had not ruled on Morris's Rule 41(g) motion. However, on February 2, 2012, the District Court dismissed the motion without prejudice to its being re-filed upon the resolution of Morris's pending direct appeal; the District Court also denied Morris's

subsequent motion to reconsider. Therefore, this petition for writ of mandamus will be dismissed as moot.